

AMENDED IN ASSEMBLY APRIL 23, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 532

Introduced by Assembly Member Mullin Yee

February 18, 2003

An act to ~~amend Section 51520 of the Education Code~~ add Section 5097 to the Vehicle Code, relating to ~~schools~~ vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 532, as amended, ~~Mullin Yee~~. ~~Schools: audiologists: solicitation~~ Vehicles: special interest license plates: classroom instruction support.

Existing law requires the Department of Motor Vehicles to issue special interest license plates to any person applying for the plates and paying certain fees. The plates contain a distinct design or decal of the participating organization and may be displayed in lieu of regular license plates. Existing law prohibits the department from issuing any special interest license plate until the participating organization has received and submitted to the department not less than 7,500 applications for that particular plate within certain time limitations.

This bill would require the department, in consultation with the State Department of Education, to design and make available for issuance, in accordance with existing law, special interest license plates with a specified design. The bill would require certain funds generated from the issuance of the special interest license plates to be deposited in the Classroom Instruction Support License Plate Account, which the bill would establish in the General Fund. The bill would require the money in the account to be allocated by the Controller, upon appropriation by

the Legislature, to the State Department of Education for allocation to school districts to fund classroom instruction support programs, including the purchase of books and instructional materials.

~~Existing law prohibits a licensed dentist or optometrist who provides voluntary dental health screening or vision testing programs for pupils on school premises from soliciting a pupil, or a pupil's parent or guardian, or encouraging, or advising treatment or consultation for the pupil by the licensed dentist or optometrist, or any affiliate, for any condition discovered in the course of the dental screening or vision testing.~~

~~This bill would similarly prohibit a licensed audiologist who provides voluntary auditory testing programs for pupils on school premises from soliciting a pupil, or a pupil's parent or guardian, or encouraging, or advising treatment or consultation for the pupil by the licensed audiologist, or any affiliate, for any condition discovered in the course of the auditory testing.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 51520 of the Education Code is~~
- 2 *SECTION 1. Section 5097 is added to the Vehicle Code, to*
- 3 *read:*
- 4 *5097. (a) The department, in consultation with the State*
- 5 *Department of Education, shall design and make available for*
- 6 *issuance special license plates, in accordance with Section 5060,*
- 7 *bearing a design relating to classroom instruction. Any person*
- 8 *described in Section 5101, upon payment of the additional fee set*
- 9 *forth in subdivision (b), may apply for and be issued a set of special*
- 10 *interest license plates described in this subdivision.*
- 11 *(b) In addition to the regular fees for an original registration,*
- 12 *a renewal of registration, or a transfer or substitution of the license*
- 13 *plates, the following additional fees shall be paid for the issuance,*
- 14 *renewal, retention, transfer, or substitution of the special interest*
- 15 *license plates authorized under subdivision (a):*
- 16 *(1) For the original issuance of the plates, fifty dollars (\$50).*
- 17 *(2) For a renewal of registration of the plates, or retention of*
- 18 *the plates if renewal is not required, forty dollars (\$40).*



(3) For transfer of the plates to another vehicle, fifteen dollars (\$15).

(4) For each substitute or replacement plate, thirty-five dollars (\$35).

(5) In addition, for the issuance of an environmental license plate, as defined in Section 5103, the additional fees prescribed in Sections 5106 and 5108, which shall be deposited in the Environmental License Plate Fund.

(c) Except as provided in paragraph (5) of subdivision (b), the department, after deducting its costs for administering this section, shall deposit the additional revenue derived under this section in the Classroom Instruction Support License Plate Account, which is hereby established in the General Fund.

(d) Upon appropriation by the Legislature, the money in the account shall be allocated by the Controller to the State Department of Education for the purpose of allocation to school districts to fund classroom instruction support programs, including, but not limited to, the purchase of books and instructional materials.

~~amended to read:~~

~~51520. —(a) During school hours, and within one hour before the time of opening and within one hour after the time of closing of school, pupils of the public school may not be solicited on school premises by teachers or others to subscribe or contribute to the funds of, to become members of, or to work for, any organization not directly under the control of the school authorities, unless the organization is a nonpartisan, charitable organization organized for charitable purposes by an act of Congress or under the laws of the state, the purpose of the solicitation is nonpartisan and charitable, and the solicitation has been approved by the county board of education or by the governing board of the school district in which the school is located.~~

~~(b) A licensed dentist who provides voluntary dental health screening programs for pupils on school premises may not solicit a pupil, or the pupil's parent or guardian, or encourage, or advise treatment or consultation for the pupil by the licensed dentist, or any entity in which the licensed dentist has a financial interest, for any condition discovered in the course of the dental health screening. It is the intent of the Legislature that no licensed dentist~~

1 use voluntary dental health screening programs for the generation
2 of referrals or for financial benefit. The Legislature does not intend
3 to deny or limit freedom of choice in the selection of an appropriate
4 dental provider for treatment or consultation.

5 (c) A licensed optometrist who provides voluntary vision
6 testing programs for pupils on school premises may not solicit a
7 pupil, or the pupil's parent or guardian, or encourage, or advise
8 treatment or consultation for the pupil by the licensed optometrist,
9 or any entity in which the licensed optometrist has a financial
10 interest, for any condition discovered in the course of the vision
11 testing. It is the intent of the Legislature that no licensed
12 optometrist use voluntary vision testing programs for the
13 generation of referrals or for financial benefit. The Legislature
14 does not intend to deny freedom of choice in the selection of an
15 appropriate vision care provider for treatment or consultation.

16 (d) A licensed audiologist who provides voluntary auditory
17 testing programs for pupils on school premises may not solicit a
18 pupil, or the pupil's parent or guardian, or encourage, or advise
19 treatment or consultation for the pupil by the licensed audiologist,
20 or any entity in which the licensed audiologist has a financial
21 interest, for any condition discovered in the course of the auditory
22 testing. It is the intent of the Legislature that no licensed
23 audiologist use voluntary auditory testing programs for the
24 generation of referrals or for financial benefit. The Legislature
25 does not intend to deny freedom of choice in the selection of an
26 appropriate auditory care provider for treatment or consultation.

27 (e) This section does not prohibit the solicitation of pupils of
28 the public school on school premises by pupils of that school for
29 any otherwise lawful purpose.
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